

PRODUCT: 13 *Niagara Hand Unit devices* and 7 all purpose *Niagara Portable devices* at Des Moines, Iowa, in the possession of the Niagara Massage Units Co., together with an accompanying placard entitled "Poor Circulation."

Examination showed that the devices were vibrators. The hand unit device was so designed as to adapt it to be held in the hand while being applied to any part of the body, and the all purpose device was designed for sitting or leaning upon or for resting the feet upon.

RESULTS OF INVESTIGATION: The above-mentioned placard was posted on the wall of the consignee's office, where the devices were demonstrated to potential purchasers. In addition, the devices were represented orally to be effective in treating the diseases and conditions hereinafter mentioned. Such representations were made by a saleslady for the consignee.

LABEL, IN PART: "Niagara of Adamsville, Pennsylvania Hand Unit [or "All Purpose Portable Model No. 5"]."

NATURE OF CHARGE: Misbranding, Section 502 (a), the placard accompanying the devices contained statements which represented and suggested that the devices were effective for circulatory disorders, which statements were false and misleading since the devices were not effective for circulatory disorders.

Further misbranding, Section 502 (f) (1), the labeling of the devices failed to bear adequate directions for use for the purposes for which they were intended, namely, for treating disorders of the heart, kidneys, circulation, gallbladder, colon, rectum, respiratory tract, joints, and nervous system; and for cancer, osteomyelitis, constipation, ulcers of the colon, multiple sclerosis, and asthma.

The devices were misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: June 26, 1953. John L. Naughton, trading as the Niagara Massage Units Co., Des Moines, Iowa, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

4148. Adulteration of chorionic gonadotropin. U. S. v. 944 Vials * * *. (F. D. C. No. 34945. Sample Nos. 38061-L, 38063-L.)

LABEL FILED: April 13, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about August 29, 1952, by Ormonoterapia, s. r. l., from Milan, Italy.

PRODUCT: 944 vials of *chorionic gonadotropin* in boxes at New York, N. Y.

LABEL, IN PART: (Box) "Corionic Gonadotropin lyophilized in final containers box of 50 vials."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported to possess since the article was intended for injection into man and should be sterile, whereas it was contaminated with living micro-organisms.

DISPOSITION: May 6, 1953. Default decree of condemnation and destruction.

*See also No. 4160 (veterinary preparation).